

Industry Circular



Internal Revenue Service
Alcohol, Tobacco and Firearms Division
Washington, D.C. 20224

Industry Circular No. 71-23

October 22, 1971

CONTIGUOUS STATE ENABLING LEGISLATION

Firearms Licensees Under Title 18, United States Code,
Chapter 44 and Others Concerned:

Purpose. The purpose of this circular is to notify firearms licensees that Missouri, New York and West Virginia have been added to the States which have enacted Contiguous State Enabling Legislation relevant to Title 18 U. S. C., Chapter 44.

Background. Publication 603 (Revised June 1971) listed 35 states which had laws specifically permitting contiguous state purchases of firearms by their residents. These states are:

Alabama, Arkansas, California, Colorado, Delaware, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, and Wyoming.

Additions to State Law, Pub. 603 (Rev. 6-71)
States enacting Contiguous State Legislation since June, 1971.

1. Missouri State Law-Continued

The General Assembly of the State of Missouri in House Bill No. 138, 76th General Assembly, effective September 28, 1971, enacted the following provision:

Section 2. Residents of the state of Missouri may purchase rifles and shotguns in a state contiguous to the state of Missouri, provided that such residents conform to the applicable provisions of the Federal Gun Control Act of 1968, and regulations thereunder, as administered by the United States Secretary of the Treasury, and provided further that such residents conform to the provisions of law applicable to such purchase in the state of Missouri and in the contiguous state in which the purchase is made.

2. New York State Law-Continued

New York Consolidated Laws (McKinney's) Penal Laws.

§ 265.40 ***** It shall be lawful for a person or persons residing in this state to purchase or otherwise obtain a rifle and/or shotgun in a contiguous state, and to receive or transport such rifle and/or shotgun into this state; provided, however, such person is otherwise eligible to possess a rifle and/or shotgun under the laws of this state.

3. West Virginia State Law-Continued

West Virginia Code Ann.

Article 7. Dangerous Weapons

§ 61-7-14 Purchase of firearms in contiguous state.

Any resident of this state, including a corporation or other business entity maintaining a place of business in this state, who may lawfully purchase and receive delivery of a rifle, shotgun ***** in this state, may purchase the same in a state contiguous to this state and transport or receive the same into this state provided the sale meets the lawful requirements of any federal statute, and is made by a licensed importer, licensed manufacturer, licensed dealer or private collector.

Rex D. Davis

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Insert this Circular in "Published Ordinances--Firearms", Publication 603 (Rev. 6-71)

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